THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.3427 of 2006

Date: 23-02-2006

Between:

M.Ravindar …Petitioner

and

1.The District Collector, Karimnagar,

Karimnagar District, and another. …Respondents

ORDER:

This Writ Petition is filed seeking a Writ of Mandamus directing the respondents to consider the representations dated 05-10-2005 and 01-12-2005 filed by the petitioner for payment of the market value and also for issuance of pattadar pass book and title deed in respect of the land admeasuring
Ac.1-20 guntas in Survey No.26 situated at Seetharampur village, in respect of which patta was granted in his favour, and to declare the action of the respondents in not taking any steps despite representations as arbitrary and illegal.

Petitioner, who is an ex-service man, submits that a temporary patta certificate was granted in his favour *vide* proceedings No.B1/6639/94, dated 28-11-1994 by the second respondent-Mandal Revenue Officer, Karimnagar, in respect of Ac.1-20 guntas of land in Survey No.26 situated at Seetharampur Village, Karimnagar Mandal and District. In the said allotment proceedings, it was stated that he has to pay the market value of the said land as fixed by the Government, failing which, the Government will take possession of the land without any notice, and the petitioner was also directed not to make any constructions thereon.

The case of the petitioner is that the Government has not fixed the market

value of the said land enabling him to pay the same, and the subordinates of the respondents started interfering with his possession. Therefore, the petitioner filed a suit against the respondents in O.S.No.4 of 2005 on the file of the III Additional District Judge, Karimnagar, in which it is stated that the petitioner has not made any representation for issuance of the passbook and if such representation is filed, the Sub-Registrar, Karimnagar, will be addressed to intimate the market value of the said land and to proceed further. Subsequent to the written statement, the petitioner filed his representations dated
05-10-2005 and 01-12-2005 before the second respondent, but, those representations have not been considered so far. Hence, the writ petition.

Heard learned Counsel for the parties and perused the entire material available on record.

A perusal of the affidavit filed in support of the writ petition goes to show that the petitioner filed his representations dated 05-10-2005 and 01-12-2005 before the second respondent, subsequent to the written statement filed by the respondents in O.S.No.4 of 2005 stating that if the petitioner files a representation, the same will be addressed to the Sub-Registrar, Karimnagar, to intimate the market value and proceed to issue pattadar passbook in his favour.

Having regard to the fact that the representations filed by the petitioner herein are pending before the second respondent-authority, without expressing any opinion on the merits of the case, I feel that it is just and proper to direct the second respondent to consider and dispose of the petitioner's representations dated 05-10-2005 and 01-12-2005 in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order.

Writ Petition is, accordingly, disposed of. No costs.

23-02-2006

LUR